



Order Filed on July 25, 2019 by
Clerk U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

RAS CITRON, LLC

130 Clinton Road, Suite 202

Fairfield, New Jersey 07004

Telephone Number: 973-575-0707

Attorneys for Secured Creditor

Laura Eggerman, Esq. (LE-8250)

In Re:

Michael S Weston,

Debtor.

Case No.: 18-21762-RG

Chapter: 13

Hearing Date: March 20, 2019

Judge: Rosemary Gambardella

**AMENDED AGREED ORDER RESOLVING SECURED CREDITOR'S MOTION FOR
RELIEF FROM THE AUTOMATIC STAY**

The relief set forth on the following pages, numbered two (2) through three (3), is hereby
ORDERED.

DATED: July 25, 2019



Honorable John K. Sherwood
United States Bankruptcy Court

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Secured Creditor: HSBC BANK USA, NATIONAL ASSOCIATION AS TRUSTEE FOR
NOMURA ASSET ACCEPTANCE CORPORATION, ALTERNATIVE LOAN TRUST,
SERIES 2007-2

Secured Creditor's Counsel: RAS CITRON, LLC.

Debtors' Counsel: Scott D. Sherman, Esquire.

Property Involved ("Collateral"): 11 Camelot Way, Parsippany, New Jersey 07054

Relief sought: ☒ Motion for relief from the automatic stay
☐ Motion to dismiss
☐ Motion for prospective relief to prevent imposition of automatic stay
against the collateral by debtor's future bankruptcy filings

For good cause shown, it is **ORDERED** that Secured Creditor's Motion(s) is (are) resolved,
subject to the following conditions:

1. Status of post-petition arrearages:

- The Debtor is overdue for 02 months from 03/01/2019 through 04/01/2019.
- The Debtor is overdue for 02 payments from 03/01/2019 through 04/01/2019 at
\$3,226.04 per month.

Funds Held In Suspense \$2,647.88.

Total Arrearages Due \$7,030.24.

2. Debtor must cure all post-petition arrearages, as follows:

- Beginning on 05/01/2019, regular monthly mortgage payments shall
continue to be made in the amount of \$3,226.04.
- The amount of \$3,804.20 shall be capitalized in the Debtor's Chapter 13 plan. Debtor
must file an Amended Plan, and Schedules I and J within fifteen (15) days of the entry of
this Order. The debtor's monthly payment to the Chapter 13 Trustee will be modified to
an amount necessary to appropriately fund the plan in accordance with this order

Thirt/ (30) \$85

3. Payments to the Secured Creditor shall be made to the following address(es):

■ Regular monthly payment: Ocwen Loan Servicing, LLC
ATTN: Cashiering Department
1661 Worthington Road, Suite 100
West Palm Beach, FL 33409

■ Immediate payment: Ocwen Loan Servicing, LLC
ATTN: Cashiering Department
1661 Worthington Road, Suite 100
West Palm Beach, FL 33409

4. In the event of Default:

■ Should the Debtor(s) fail to make any of the above captioned payments, or if any regular monthly mortgage payment should become more than thirty (30) days late or if Debtor(s) fails to comply with any terms of this Consent Order, counsel shall file a Certification of Default with the Court. A copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Consent Order.

■ In the event the Debtor(s) convert(s) to a Chapter 7 during the pendency of this bankruptcy case, the Debtor(s) shall cure all arrears within ten (10) days from the date of conversion in order to bring the loan contractually current. Should the Debtors fail to bring the loan contractually current, counsel shall file a Certification of Default with the Court, a copy of the Certification shall be sent to the Chapter 13 Trustee, Chapter 7 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Consent Order.

■ This agreed order survives any loan modification agreed to and executed during the instant bankruptcy. If any regular mortgage payment due after the execution of a loan modification is more than thirty (30) days late, counsel shall file a Certification of Default with the Court a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Consent Order.

5. Award of Attorneys' Fees:

- The Applicant is awarded attorney fees of \$350.00 and costs of \$181.00.

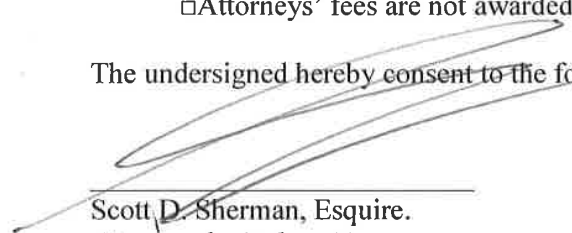
The fees and costs are payable:

- Through the Chapter 13 plan.

□ To the Secured Creditor within _____ days.

□ Attorneys' fees are not awarded.

The undersigned hereby consent to the form and entry of the foregoing order.



Scott D. Sherman, Esquire.
Attorney for Debtor(s)

Date: 5/1/2019

/s/ Laura Eggerman
Laura Eggerman, Esquire.
Attorney for Secured Creditor
Date: 07/17/2019

Certificate of Notice Page 5 of 5
United States Bankruptcy Court
District of New Jersey

In re:
Michael S Weston
Debtor

Case No. 18-21762-RG
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-2

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Jul 25, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 27, 2019.

db +Michael S Weston, 11 Camelot Way, Parsippany, NJ 07054-1407

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 27, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 25, 2019 at the address(es) listed below:

Aleisha Candace Jennings on behalf of Creditor HSBC BANK USA, NATIONAL ASSOCIATION AS TRUSTEE FOR NOMURA ASSET ACCEPTANCE CORPORATION, ALTERNATIVE LOAN TRUST, SERIES 2007-2
ajennings@rasflaw.com

John R. Morton, Jr. on behalf of Creditor Ford Motor Credit Company, LLC, servicer for CAB EAST LLC ecfmail@mortoncraig.com, mortoncraige@cf@gmail.com

Laura M. Egerman on behalf of Creditor HSBC BANK USA, NATIONAL ASSOCIATION AS TRUSTEE FOR NOMURA ASSET ACCEPTANCE CORPORATION, ALTERNATIVE LOAN TRUST, SERIES 2007-2 bkyecf@rasflaw.com, bkyecf@rasflaw.com/legerman@rasnj.com

Marie-Ann Greenberg magecf@magtrustee.com

Rebecca Ann Solarz on behalf of Creditor U.S. Bank National Association, not in its individual capacity but solely as Trustee of SW REMIC Trust 2014-2 rsolarz@kmlawgroup.com

Scott D. Sherman on behalf of Debtor Michael S Weston ssherman@minionsherman.com

Sindi Mncina on behalf of Creditor HSBC BANK USA, NATIONAL ASSOCIATION AS TRUSTEE FOR NOMURA ASSET ACCEPTANCE CORPORATION, ALTERNATIVE LOAN TRUST, SERIES 2007-2 smncina@rascrane.com

Sindi Mncina on behalf of Trustee Marie-Ann Greenberg smncina@rascrane.com

U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 9